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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/539,118

Applicant(s)

YAMASHINA, YUKIHISA

Examiner

GREG A. BORSETTI

Art Unit

2626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 1-5, 7, 9-11 are pending.
2. Claims 1 and 9 have been amended.
3. The objections to the specification have been withdrawn.
4. The objection to the claim 10 is maintained because although the remarks state that a semicolon has been added to claim 10, the amendments do not address the change.
5. The rejection under 35 USC 101 is also maintained because although the remarks state that the specification has been amended to delete a description of the medium as comprising a carrier wave, no such amendment has been received.

Response to Arguments

6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., According to the system defined by amended claim 1, a translator can perform translation work more efficiently by translating only those draft translations indicated as "requiring further translation and proofreading" and not translating other translations. (Remarks, Page 11, ¶ 3)) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. Applicant further argues "None of the cited references disclose or suggest a combination including the feature of indicating the type of the translated contents that are generated in the course of translation, in order to assist both a translator and a proofreader. None of the cited references disclose or suggest a combination wherein the content sent to the translator and to the proofreader are changed, so that the translator and the proofreader are able to carry out their own work. Also the claimed system stores what a translator and a proofreader have translated in the third memory and the past- translation data storing section, respectively. Thus a translator and a proofreader can each keep track of what they have translated." The Examiner disagrees. D'Agostini provides that color may be used to differentiate different portions of text depending on an action performed on the sections, ¶ 0196, ¶ 0179. Davis further provides that interactions with the user updates the translation files, ¶ 0065. The argument is not persuasive.

8. Applicant's further argues "D'Agostini's "operator" is not a teaching or a suggestion of a "proofreader," as defined by the amended claims." The Examiner notes that D'Agostini was not relied upon for the rejection of claim 1, the amended claim. The combination of Kaji and Davis were used to provide the rejection to claim 1.

9. Applicant further argues "With specific regard to claim 10, D'Agostini fails to disclose or suggest a "color information storing means for storing color-designating information designating display colors of an original text, a draft translation, a translation and a proofread translation, respectively." (Remarks, Page 13, ¶ 2) The Examiner disagrees. D'Agostini clearly states in ¶ 0179 that color information may be used to

differentiate translation texts. For color information to be used, it must have been stored.

The argument is not persuasive.

10. Applicant further argues "D'Agostini fails to disclose or suggest changing the colors for displaying translations of different classification" (Remarks, Page 13, ¶ 2) Although D'Agostini does not explicitly teach the use of different colors for different classification, the Examiner contends that it would have been obvious to someone of ordinary skill in the art at the time of the invention to do so considering D'Agostini's disclosure of "corresponding portion of the text to translate putting them in distinguishable characters by the rest of the text, as for example bold, italics or other color." It would have been obvious to do because it distinguishes the corresponding portions of the text. The argument is not persuasive.

Claim Objections

11. Claim 10 is objected to because of the following informalities: A semicolon should be used instead of a comma after the word "respectively". Appropriate correction is required.

Claim Rejections - 35 USC § 101

12. Claim 11 of the claimed invention is directed to non-statutory subject matter. Claim 11 refers to a computer readable recording medium, where the specification, Page 21, describes the medium as comprising a carrier wave. (Page 21, line 13). The program is recited as existing on the recording medium and is further disclosed to

possibly be distributed on a carrier wave. Thus, the recording medium could be a carrier wave which does not fulfill the statutory requirements of 35 USC 101. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 1-5, 7, and 9-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the 112 6th paragraph limitation in "a determining means for determining..." The description necessary to support a claim limitation for 35 USC 112 6th paragraph "may be implicit or inherent in the specification if it would have been clear to those skilled in the art what structure (or material or acts) corresponds to the means (or step)-plus-function claim limitation". However, "If there is no disclosure of structure, material or acts for performing the recited function, the claim fails to satisfy the requirements of 35 U.S.C. 112, second paragraph." In the instant application, there is no disclosure within the specification of the structure necessary to perform the determining means. (MPEP 2181)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaji (US Patent #5408410) in view of Davis et al. (US Pre-Grant Publication #20020157084 hereinafter Davis) in view of Richardson et al. (US Pre-Grant Publication #20050021322) and further in view of Lu et al. (NPL Document "LabelTool A Localization Application for Devices with Restricted Display Areas")

As per claim 1, Kaji teaches the translation support system comprising:

A first memory which stores a plurality of text elements corresponding to sentences of original text to be translated; (Kaji, column 6, lines 32-51, ...*morphological analysis 13a, a syntactic analysis 13b*... a morphological analysis requires parsing. Furthermore, Fig. 7a shows that the words are parsed and stored.)

a draft-translation producing section for producing draft translations for each text element stored in said first memory based on the past- translation data; (Kaji, column 13, lines 44-55 , ...*However, as shown in FIG. 25, to implement the present invention, the first translated sentence 244 generated from the machine translation system may be post-edited (251) by a human operator to employ the obtained sentence as the second translated sentence 241*..., if there is a need to be post-edited, the initial machine translation can be interpreted as a draft translation.)

a translation receiving section for receiving, from said translator terminal, translations supplied by said translator terminal in response to the translator inputting to the translator terminal, wherein the translation of said text elements is based on the draft-translation information; (Kaji, Fig. 25, column 13, lines 44-55, ...*post-edited (251) by a human operator...*)

a third memory which stores, in association with the text elements stored in said first memory, the translations received by said translation receiving section; (Kaji, column 13, lines 44-55, if a human operator can post-edit the translations, they inherently have to be stored in a memory because Kaji operates in a computer environment.)

Kaji fails to teach, but Davis teaches:

a past-translation data storing section which stores past-translation data comprising previously translated text elements and corresponding proofread translations, wherein the previously translated text elements and corresponding proofread translations are stored in association with each other; (Davis, Fig. 20, the user can modify the files and they are used to update the translation file which is stored for later use.)

a draft-translation outputting section for outputting, to the translator terminal, in response to a request sent by the translator terminal that designates one of said text elements, draft-translation information that is to be displayed by the translator terminal including: the designated text element; the draft translation of said text element read out

from said second memory, and an indication, for each text element, of whether or not the text element requires translation and proofreading determined based on which data field of said second memory the draft translation is stored in; (Davis, ¶ 0062 - ¶ 0063, *...the source and translation windows 74 and 76 are displayed side-by-side... one embodiment, the source window 74 icons include a red octagon for an error situation, a yellow diamond for a warning situation, a green square for an efficiency situation, and a green arrow for a linkage situation...* Davis provides an indication process for incorrect translations. It would have been obvious to someone of ordinary skill in the art that for the translation terminal, mismatched interpretation problems would be presented to the user. It would have been obvious to someone of ordinary skill in the art at the time of the invention that Davis accomplishes the same task of determining the editing of text segments based on color coded shapes instead of data fields.)

a proofread-translation receiving section for receiving, from said proofreader terminal, proofread translations supplied by said proofreader terminal in response to inputs provided by the proofreader, the proofread translations being based on the translation information output to the proofreader terminal; (Davis, ¶ 0062 - ¶ 0063, *...the source and translation windows 74 and 76 are displayed side-by-side... one embodiment, the source window 74 icons include a red octagon for an error situation, a yellow diamond for a warning situation, a green square for an efficiency situation, and a green arrow for a linkage situation...* Davis provides an indication process for incorrect translations. It would have been obvious to someone of ordinary skill in the art that for the proofreading terminal, language problems in the target language would be

presented to the user.)

wherein said past-translation data storing section stores, in association with each other, the text elements and the proofread translations received by said proofread-translation receiving section (Davis, Fig. 20, the user can modify the files and they are used to update the translation file which is stored for later use.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to combine Davis with the Kaji device because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Kaji provides a method for amending translations while Davis provides a remote proofreading GUI. The combination of Davis with the Kaji device would have been obvious to someone of ordinary skill in the art at the time of the invention because they are in the same field of endeavor and would provide the advantage of "the interactive translation system and method combine static translation with an interactive environment in order to provide both accurate and efficient translations with minimal user intervention" (Davis, ¶ 0005).

Kaji and Davis fail to specifically teach, but Richardson teaches:

a determining means for determining based on the draft translation produces, whether or not each draft translation requires further translation and proofreading;

(Richardson, ¶ 0052, ...*Assuming that user 502 is not satisfied with one or more portions of the translation generated by translation system 508 (i.e., user is not satisfied with an indicated low confidence metric), then the automatic translation is submitted to modification source 506 along with a copy of the source document...*, The human decides, based on the confidence score of the translated segment whether post-editing is necessary.)

a second memory which stores, in association with each of the text elements stored in said first memory, the draft translation produced by said draft-translation producing section in either a data field for storing draft translation requiring further translation and proofreading or a data field for storing draft translation not requiring further translation and proofreading based on determination made by said determining means, so as to identify whether or not the draft translation requires further translation and proofreading; (Kaji, column 13, lines 44-55 , ...*However, as shown in FIG. 25, to implement the present invention, the first translated sentence 244 generated from the machine translation system may be post-edited (251) by a human operator to employ the obtained sentence as the second translated sentence 241...*, if there is a need to be post-edited, the initial translation can be interpreted as a draft translation. Furthermore, this information would inherently be stored in a memory because Kaji operates in a computer environment. However, Kaji and Davidson fail to specifically teach a determining means. Richardson, ¶ 0052, ...*Assuming that user 502 is not satisfied with one or more portions of the translation generated by translation system 508 (i.e., user is not satisfied with an indicated low confidence metric), then the*

automatic translation is submitted to modification source 506 along with a copy of the source document..., The human decides, based on the confidence score of the translated segment whether post-editing is necessary.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to combine Richardson with the Kaji and Davis device because "information is provided to the automatic machine translation system to reduce the likelihood that the error will be repeated in subsequent translations generated by the automatic machine translation system" Therefore, the system is customizable based on the corrections the user makes.

Kaji, Davis, and Richardson fail to specifically teach, but Lu suggests:

a translation outputting section for outputting, to said proofreader terminal, translation information that is to be displayed by the proofreader terminal in response to a request sent by the proofreader terminal that designates one of said text elements, said translation information including: the designated text element and the translation of said text element saved in said third memory, wherein said translations translation is indicated as being a subject for proofreading; and (Kaji in combination with Davis teach post editing for translation and proofreading. Lu further teaches text translation and text validation (proofreading) in a distributed scheme. Lu, Page 207, Processing, teaches that translators perform their translation, and the validators make suggested changes to the translation. Different types of changes are shown in different colors.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to combine Lu with the Kaji, Davis, and Richardson device to use distributed translation and validation in devices with restricted displays such as cellular telephones for wireless translation capabilities in areas where a PC is not available.

As per claim 7, claim 1 is incorporated and Kaji teaches:

a fifth memory which stores a draft translation determined not to require translation or proofreading (Kaji, column 11, lines 28-44, ...a phrase's weight table and a demerit mark table are referenced... quality of translation is observed where it would have been obvious to someone of ordinary skill in the art at the time of the invention that a high quality of translation would not require human post-editing/proofreading. Furthermore, column 12, lines 58-68, The text file 34 in Kaji stores the machine (draft) translations. Therefore, if the machine (draft) translation is evaluated as in Fig. 6 and proven to be of high quality, no proofreading would be needed and it would still be stored in text file 34.)

As per claim 9, claim 1 is incorporated and Kaji teaches:

a text analyzing section for analyzing and dividing the original text into the plurality of text elements and storing the text elements in said first memory;
(Kaji, column 6, lines 32-51, ...morphological analysis 13a, a syntactic analysis 13b... a morphological analysis requires parsing which divides the original text into a plurality of elements. They are inherently stored in the computer system of Kaji.)

Kaji fails to fully teach, but Davis teaches:

wherein said translation outputting section further reads out and outputs translations corresponding to the predetermined number of text elements preceding and/or succeeding the designated text element to the proofreader terminal.

(Kaji, column 13, lines 44-55 , ...*However, as shown in FIG. 25, to implement the present invention, the first translated sentence 244 generated from the machine translation system may be post-edited (251) by a human operator to employ the obtained sentence as the second translated sentence 241...*, machine translation requires training and comparison and in Kaji, there is a bilingual dictionary which is past-translation data. Davis, ¶ 0062, ...*the source and translation windows 74 and 76 are displayed side-by-side to allow simultaneous viewing of the source and translation elements 86 and 88...*, teaches that the source text and translations are output in the same viewing area where the source text can be proofread/edited dynamically subsequent to the initial output to the terminal.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to combine Davis with the Kaji device because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Kaji provides a method for amending translations while Davis provides a remote proofreading GUI. The combination of Davis with the Kaji device

would have been obvious to someone of ordinary skill in the art at the time of the invention because they are in the same field of endeavor and would provide the advantage of "the interactive translation system and method combine static translation with an interactive environment in order to provide both accurate and efficient translations with minimal user intervention" (Davis, ¶ 0005).

As per claim 11, Kaji teaches the translation support system comprising:

a first memory which stores a plurality of text elements corresponding to sentences of original text to be translated; (Kaji, column 6, lines 32-51, ...*morphological analysis 13a, a syntactic analysis 13b*... a morphological analysis requires parsing. Furthermore, Fig. 7a shows that the words are parsed and stored.)

a draft-translation producing section for reading out from said first memory, the text elements stored therein, and producing draft translations for the text elements based on the past- translation data; (Kaji, column 13, lines 44-55 , ...*However, as shown in FIG. 25, to implement the present invention, the first translated sentence 244 generated from the machine translation system may be post-edited (251) by a human operator to employ the obtained sentence as the second translated sentence 241*..., if there is a need to be post-edited, the initial machine translation can be interpreted as a draft translation.)

a second memory which stores, in association with each of the text elements stored in said first memory, the draft translations produced by said draft-translation producing section; (Kaji, column 13, lines 44-55 , ...*However, as shown in FIG.*

25, to implement the present invention, the first translated sentence 244 generated from the machine translation system may be post-edited (251) by a human operator to employ the obtained sentence as the second translated sentence 241..., if there is a need to be post-edited, the initial translation can be interpreted as a draft translation. Furthermore, this information would inherently be stored in a memory because Kaji operates in a computer environment.)

a determining section for determining, based on the draft translations, whether or not the text elements stored in said first memory require translation and proofreading (Kaji, column 11, lines 28-44, *...a phrase's weight table and a demerit mark table are referenced...* quality of translation is observed where it would have been obvious to someone of ordinary skill in the art at the time of the invention that a low quality of translation would require human post-editing/proofreading.)

a translation receiving section for receiving, from said translator terminal, translations for the text elements that have been determined to require translation and proofreading, wherein said translations are supplied by said translator terminal in response to the translator inputting to the translator terminal, wherein the translation of said text elements is based on the draft-translation information; (Kaji, Fig. 25, column 13, lines 44-55, *...post-edited (251) by a human operator...*)

a third memory which stores, in association with the text elements stored in said first memory, the translations received by said translation receiving section;

(Kaji, column 13, lines 44-55, if a human operator can post-edit the translations, they inherently have to be stored in a memory because Kaji operates in a computer environment.)

Kaji fails to teach, but Davis teaches:

a past-translation data storing section which stores past-translation data comprising previously translated text elements and corresponding proofread translations, wherein the previously translated text elements and corresponding proofread translations are stored in association with each other; (Davis, Fig. 20, the user can modify the files and they are used to update the translation file which is stored for later use.)

a draft-translation outputting section for outputting, to the translator terminal, draft- translation information including text elements read out from said first memory, draft translations of said text elements read out from said second memory, and an indication, for each text element, of whether or not the text element requires translation and proofreading; (Davis, ¶ 0062 - ¶ 0063, *...the source and translation windows 74 and 76 are displayed side-by-side... one embodiment, the source window 74 icons include a red octagon for an error situation, a yellow diamond for a warning situation, a green square for an efficiency situation, and a green arrow for a linkage situation...Davis provides an indication process for incorrect translations. It would have been obvious to someone of ordinary skill in the art that for the translation terminal, mismatched interpretation problems would be presented to the user.*)

a translation outputting section for outputting, to said proofreader terminal, translation information including the text elements and translations saved in said third memory, wherein said translations are indicated as being subjects for proofreading; and (Davis, ¶¶ 0062 - ¶¶ 0063, *...the source and translation windows 74 and 76 are displayed side-by-side... one embodiment, the source window 74 icons include a red octagon for an error situation, a yellow diamond for a warning situation, a green square for an efficiency situation, and a green arrow for a linkage situation... Davis provides an indication process for incorrect translations. The process is continuous, therefore as the translation is modified through proofreading, there is an outputting.*)

a proofread-translation receiving section for receiving, from said proofreader terminal, proofread translations supplied by said proofreader terminal in response to inputs provided by the proofreader, the proofread translations being based on the translation information output to the proofreader terminal; (Davis, ¶¶ 0062 - ¶¶ 0063, *...the source and translation windows 74 and 76 are displayed side-by-side... one embodiment, the source window 74 icons include a red octagon for an error situation, a yellow diamond for a warning situation, a green square for an efficiency situation, and a green arrow for a linkage situation... Davis provides an indication process for incorrect translations. It would have been obvious to someone of ordinary skill in the art that for the proofreading terminal, language problems in the target language would be presented to the user.*)

wherein said past-translation data storing section stores, in association with each other, the text elements and the proofread translations received by said proofread-

translation receiving section (Davis, Fig. 20, the user can modify the files and they are used to update the translation file which is stored for later use.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to combine Davis with the Kaji device because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Kaji provides a method for amending translations while Davis provides a remote proofreading GUI. The combination of Davis with the Kaji device would have been obvious to someone of ordinary skill in the art at the time of the invention because they are in the same field of endeavor and would provide the advantage of "the interactive translation system and method combine static translation with an interactive environment in order to provide both accurate and efficient translations with minimal user intervention" (Davis, ¶ 0005).

15. Claims 2-5, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaji (US Patent #5408410) in view of Davis et al. (US Pre-Grant Publication #20020157084 hereinafter Davis) in view of Richardson et al. (US Pre-Grant Publication #20050021322) and further in view of Lu et al. (NPL Document "LabelTool A Localization Application for Devices with Restricted Display Areas") and further in view of D'Agostini (US Pre-Grant Publication #20030040900)

As per claim 2, claim 1 is incorporated and Kaji teaches:

a text analyzing section for analyzing and dividing the original text into a plurality of text elements and storing them in said first memory; (Kaji, column 6, lines 32-51, ...morphological analysis 13a, a syntactic analysis 13b... a morphological analysis requires parsing which divides the original text into a plurality of elements. They are inherently stored in the computer system of Kaji.)

Kaji and Davis fail to teach, but D'Agostini teaches:

a translation counting section for counting the number of text elements of the translation stored in said third memory; and (D'Agostini, ¶ 0247, ...*the word counting*... D'Agostini teaches the use of a GUI where a word counting option is available on the control bar. It would have been obvious to someone of ordinary skill in the art that this control bar would be available in any editable text window.)

an outputting section for outputting the number of text elements counted by said translation counting section to said translator terminal (D'Agostini, Figs. 1-23, the window GUI is shown in the Figures.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to try the combination of D'Agostini with the Kaji and Davis device to improve ease of use because "the main purpose of the present invention is to use the automatic or interactive-semiautomatic computer translation but with strong reduction of the translation time and with the maximum obtainable quality with the intervention of the same skilled-operator." (D'Agostini, ¶ 0126)

As per claim 3, claim 1 is incorporated and Kaji teaches:

a text analyzing section for analyzing the original text, dividing it into a plurality of text elements and storing them in said first memory (Kaji, column 6, lines 32-51, ...morphological analysis 13a, a syntactic analysis 13b... a morphological analysis requires parsing which divides the original text into a plurality of elements. They are inherently stored in the computer system of Kaji.)

Kaji and Davis fail to teach, but D'Agostini teaches:

a draft-translation counting section for counting the number of text elements of the draft translation stored in said second memory; and (D'Agostini, ¶ 0247, ...*the word counting*... D'Agostini teaches the use of a GUI where a word counting option is available on the control bar. It would have been obvious to someone of ordinary skill in the art that this control bar would be available in any editable text window.)

an outputting section for outputting the number of text elements counted by said draft-translation counting section to said translator terminal; (D'Agostini, Figs. 1-23, the window GUI is shown in the Figures.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to try the combination of D'Agostini with the Kaji and Davis device to improve ease of use because "the main purpose of the present invention is to use the automatic or interactive-semiautomatic computer translation but with strong reduction of

the translation time and with the maximum obtainable quality with the intervention of the same skilled-operator." (D'Agostini, ¶ 0126)

As per claim 4, claim 1 is incorporated and Kaji teaches:

a text analyzing section for analyzing the original text, dividing it into a plurality of text elements and storing them in said first memory (Kaji, column 6, lines 32-51, ...morphological analysis 13a, a syntactic analysis 13b... a morphological analysis requires parsing which divides the original text into a plurality of elements. They are inherently stored in the computer system of Kaji.)

Kaji and Davis fail to teach, but D'Agostini teaches:

a proofread-translation counting section for counting the number of text elements of the proofread translation stored in said past-translation data storing section; and (D'Agostini, ¶ 0247, ...*the word counting*... D'Agostini teaches the use of a GUI where a word counting option is available on the control bar. It would have been obvious to someone of ordinary skill in the art that this control bar would be available in any editable text window.)

an outputting section for outputting the number of text elements counted by said proofread-translation counting section to said proofreader terminal; (D'Agostini, Figs. 1-23, the window GUI is shown in the Figures.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to try the combination of D'Agostini with the Kaji and Davis device to

improve ease of use because "the main purpose of the present invention is to use the automatic or interactive-semiautomatic computer translation but with strong reduction of the translation time and with the maximum obtainable quality with the intervention of the same skilled-operator." (D'Agostini, ¶ 0126)

As per claim 5, claim 1 is incorporated and Kaji teaches:

a text analyzing section for analyzing the original text, dividing it into a plurality of text elements and storing them in said first memory (Kaji, column 6, lines 32-51, ...morphological analysis 13a, a syntactic analysis 13b... a morphological analysis requires parsing which divides the original text into a plurality of elements. They are inherently stored in the computer system of Kaji.)

Kaji and Davis fail to teach, but D'Agostini teaches:

a translation counting section for counting the number of text elements of the translation stored in said third memory; and (D'Agostini, ¶ 0247, ...*the word counting*... D'Agostini teaches the use of a GUI where a word counting option is available on the control bar. It would have been obvious to someone of ordinary skill in the art that this control bar would be available in any editable text window.)

an outputting section for outputting the number of text elements counted by said translation counting section to said proofreader terminal; (D'Agostini, Figs. 1-23, the window GUI is shown in the Figures.)

It would have been obvious to someone of ordinary skill in the art at the time of the invention to try the combination of D'Agostini with the Kaji and Davis device to improve ease of use because "the main purpose of the present invention is to use the automatic or interactive-semiautomatic computer translation but with strong reduction of the translation time and with the maximum obtainable quality with the intervention of the same skilled-operator." (D'Agostini, ¶ 0126)

As per claim 10, Kaji and Davis fail to teach, but D'Agostini teaches:

a color information storing section for storing color-designating information designating display colors of an original text, a draft translation, a translation inputted by the translator and a proofread translation inputted by the proofreader, respectively; (D'Agostini, ¶ 0169, ...*the system provides automatically the conversion of their writing in bold or italic or different color...*It would have been obvious to someone of ordinary skill in the art at the time of the invention that the colors could be used to differentiate the translation texts. The color schemes would inherently be stored in memory.)

wherein said translation outputting section is one for instructing said translator terminal and/or said proofreader terminal to output the original text, the draft translation, the translation inputted by the translator, and the proofread translation inputted by the proofreader, in accordance with the color designating information stored in said color information storing section (D'Agostini, ¶ 0169, ...*the system provides automatically the conversion of their writing in bold or italic or different color...*It would have been obvious to someone of ordinary skill in the art at the time of the invention that

the colors could be used to differentiate the translation texts. The color schemes would inherently be stored in memory.)

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to PTO-892, Notice of References Cited for a listing of analogous art.

17. **THIS ACTION IS MADE FINAL.** Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to GREG A. BORSETTI whose telephone number is (571)270-3885. The examiner can normally be reached on Monday - Thursday (8am - 5pm Eastern Time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHEMOND DORVIL can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg A. Borsetti/
Examiner, Art Unit 2626

/Talivaldis Ivars Smits/
Primary Examiner, Art Unit 2626

4/9/2009

